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**FACSIMILE TRANSMITTAL COVER SHEET**DATE: August 17, 2004

TO: Examiner Irene Marx FAX NO.: (703) 872-9306  
(Name)  
Mail Stop Amendment  
U.S. Patent Office COUNTRY: USA  
(Company)

FROM: Peter C. Lauro FAX NOS.: (617) 439-4170

Our Reference No.: 59777 No. of pages 16  
(including cover sheet)

U.S.S.N. 09/885,294

## MESSAGE:

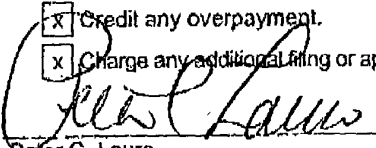
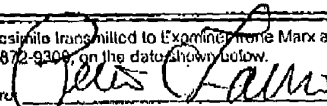
Please see attached Amendment and Response for the above-referenced patent application.

**Please confirm receipt of this transmission by return facsimile.**

Should there be any problem with this transmission, please contact Terri H. Lauro at the above telephone number.

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| AMENDMENT TRANSMITTAL LETTER  |   |   |                                   | Docket No.<br>59777(49950) |               |
|---|---|---|-----------------------------------|----------------------------|---------------|
| Application No.<br>09/885,294-Conf. #2663   |   | Filing Date<br>June 19, 2001            |                                   | Examiner<br>Irene Marx     |               |
|   |   |   |                                   | Art Unit<br>1651           |               |
| Applicant(s): Lonnie O. Ingram, et al.  |   |   |                                   |                            |               |
| Invention: METHODS FOR IMPROVING CELL GROWTH AND ALCOHOL PRODUCTION DURING FERMENTATION   |   |   |                                   |                            |               |
| <b>TO THE COMMISSIONER FOR PATENTS</b>  |   |   |                                   |                            |               |
| Transmitted herewith is an amendment in the above-identified application.   |   |   |                                   |                            |               |
| The fee has been calculated and is transmitted as shown below.  |   |   |                                   |                            |               |
| <b>CLAIMS AS AMENDED</b>  |   |   |                                   |                            |               |
|   | Claims<br>Remaining<br>After<br>Amendment | Highest<br>Number<br>Previously<br>Paid | Number<br>Extra Claims<br>Present | Rate                       |               |
| Total Claims  | 30  | - 81 =                                  | 0                                 | x                          | 0.00          |
| Independent<br>Claims   | 1   | - 4 =                                   | 0                                 | x                          | 0.00          |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |   |   |                                   |                            |               |
| Other fee (please specify): Extension for response within third month   |   |   |                                   |                            | 475.00        |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>   |   |   |                                   |                            | <b>475.00</b> |
| <input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity  |   |   |                                   |                            |               |
| <input type="checkbox"/> No additional fee is required for this amendment.  |   |   |                                   |                            |               |
| <input checked="" type="checkbox"/> Please charge Deposit Account No. 04-1105 in the amount of \$ 475.00.<br>A duplicate copy of this sheet is enclosed.  |   |   |                                   |                            |               |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.   |   |   |                                   |                            |               |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |   |   |                                   |                            |               |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 04-1105<br>as described below. A duplicate copy of this sheet is enclosed.   |   |   |                                   |                            |               |
| <input checked="" type="checkbox"/> Credit any overpayment.   |   |   |                                   |                            |               |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.  |   |   |                                   |                            |               |
| <br>Peter C. Lauro<br>Attorney Reg. No.: 32,360  |   |   |                                   | Dated: August 17, 2004     |               |
| EDWARDS & ANGELL, LLP<br>P.O. Box 55874<br>Boston, Massachusetts 02205<br>(617) 439-4444  |   |   |                                   |                            |               |
| I hereby certify that this correspondence is being facsimile transmitted to Examiner Irene Marx at the United States Patent and Trademark Office - Mail Stop Amendment at (703) 872-9309, on the date shown below.<br>Dated: August 17, 2004 Signature  (Peter C. Lauro) |   |   |                                   |                            |               |

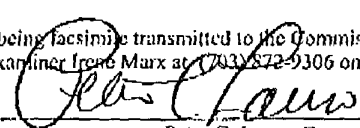
AUG 17 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re application of: Lonnie O. Ingram, *et al.*  
Application No.: 09/885,294 Group No.: 1651  
Filed: June 19, 2001 Examiner: Marx, I.  
For: *METHODS FOR IMPROVING CELL GROWTH AND ALCOHOL  
PRODUCTION DURING FERMENTATION*  
Attorney Docket No: 49950-59777 (formerly BCI-026)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

| CERTIFICATE OF FACSIMILE TRANSMISSION  |   |
|--|---|
| I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Washington, DC 20231, via facsimile to Examiner from Marx at 703-872-9306 on the date below. |   |
| August 17, 2004<br>Date  | <br>Peter C. Lauro, Esq.<br>Reg. No. 32,360 |

AMENDMENT AND RESPONSE

Dear Sir:

This is a response to the non-final Office Action mailed from the Patent and Trademark Office on February 17, 2004. A request for a three-month extension of time and the appropriate fee based on small entity status are being filed concurrently with this document. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.  
Remarks begin on page 8 of this paper.